

## SENATE BILL No. 53

### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-13-2-177.3; IC 9-21.

**Synopsis:** Temporary traffic control zone speed limits. Provides that a local authority may establish a temporary maximum speed limit in a temporary traffic control zone during a special event. Provides that a person who exceeds a speed limit posted in a temporary traffic control zone commits a Class B infraction.

**Effective:** July 1, 2008.

### Boots

January 8, 2008, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.

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Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

## SENATE BILL No. 53

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 9-13-2-177.3 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2008]: **Sec. 177.3. "Temporary traffic control**  
4 **zone", for purposes of IC 9-21-4 and IC 9-21-5, means a location**  
5 **or area designated by a local authority for a special event of**  
6 **limited duration that is legally permitted by the local authority.**  
7 SECTION 2. IC 9-21-4-9 IS AMENDED TO READ AS FOLLOWS  
8 [EFFECTIVE JULY 1, 2008]: Sec. 9. (a) Except as provided in  
9 subsections (b) and (c), all rules of statewide application shall be  
10 adopted under IC 4-22-2.  
11 (b) Traffic regulations carrying a penalty for violation and requiring  
12 the use of signs or markers to make them effective need not be adopted  
13 under IC 4-22-2.  
14 (c) Traffic regulations, except maximum speed limits, ~~and~~ worksite  
15 speed limits, **and temporary traffic control zone speed limits**, shall  
16 be officially adopted by order of the Indiana department of  
17 transportation.



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SECTION 3. IC 9-21-5-3, AS AMENDED BY P.L.1-2006, SECTION 164, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3. The maximum speed limits set forth in section 2 of this chapter may be altered as follows:

(1) By local ~~jurisdictions~~ **authorities** under section 6 **or 15** of this chapter.

(2) By the Indiana department of transportation under section 12 of this chapter.

(3) For the purposes of speed limits on a highway on the national system of interstate and defense highways, by order of the commissioner of the Indiana department of transportation to conform to any federal regulation concerning state speed limit laws.

(4) In worksites, by all jurisdictions under section 11 of this chapter.

SECTION 4. IC 9-21-5-13, AS AMENDED BY P.L.231-2005, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 13. (a) Except as provided in subsections (b) and (c), a person who violates this chapter commits a Class C infraction.

(b) A person who exceeds a speed limit that is:

(1) established under section 6 of this chapter and imposed only in the immediate vicinity of a school when children are present;

**or**

(2) established under section 11 of this chapter and imposed only in the immediate vicinity of a worksite when workers are present;

**or**

**(3) established under section 15 of this chapter and imposed only in a temporary traffic control zone during a special event;**

commits a Class B infraction.

(c) A person who while operating a school bus knowingly or intentionally exceeds a speed limit set forth in section 14 of this chapter commits a Class C misdemeanor.

SECTION 5. IC 9-21-5-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: **Sec. 15. (a) Subject to subsection (b), a local authority may establish temporary maximum speed limits in its jurisdiction and in a temporary traffic control zone without conducting an engineering study and investigation required under this article. The establishing authority shall post signs notifying the traveling public of the temporary maximum speed limits established under this section.**

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1       (b) Temporary traffic control zone speed limits set under this  
2 section must be at least ten (10) miles per hour below the maximum  
3 established speed limit.

4       (c) A temporary traffic control zone speed limit set under this  
5 section may be enforced only if:

6           (1) a special event is taking place in the temporary traffic  
7 control zone; or

8           (2) if a special event is not taking place in the temporary  
9 traffic control zone, the establishing authority determines that  
10 the safety of the traveling public requires enforcement of the  
11 temporary traffic control zone speed limit.

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